

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA

v.

EDWIN T. LIMBRICK

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CASE NUMBER 1:96-CR-54-2-MJT
JUDGE MICHAEL TRUNCALE

**ORDER OVERRULING OBJECTIONS AND ADOPTING
REPORT AND RECOMMENDATION**

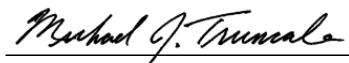
The Defendant, Edwin T. Limbrick, filed multiple *pro se* Motions for Compassionate Release pursuant to 18 U.S.C. § 3582. [Dkt. 655, 659, 670.] The Government filed a response. [Dkt. 709.] Pursuant to 28 U.S.C. § 636(b), the Local Rules for the United States District Court for the Eastern District of Texas, and a specific referral order [dkt. 725], these motions were before United States Magistrate Judge Christine L. Stetson. Judge Stetson issued a report with recommended findings of fact and conclusions of law stating that Defendant's motions should be denied. [Dkt. 738.] Limbrick filed objections to the report and recommendation. [Dkt. 745.]

The Court has considered Limbrick's objections and conducted a *de novo* review pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Criminal Procedure 59. Limbrick makes the same arguments regarding the merits of his case. As Judge Stetson explained in her report, there is no evidence presented that Limbrick has any major medical conditions and is not receiving the medical care he requires while in confinement. Further, his risks of contracting COVID are drastically reduced with his vaccination and previous contraction of COVID and recovery therefrom.

Limbrick also argues that he is serving an unusually long sentence and would receive a lesser sentence today based upon changes in the law. Judge Stetson discussed these issues in her report, and the Court agrees that even if there were a gross disparity in the sentencing, which is questionable, consideration of the section 3553 factors persuades the Court to deny compassionate release considering the nature and seriousness of Limbrick's offenses, his criminal history, and his potential danger to the community.

Consequently, Limbrick's objections are without merit, and the Court **OVERRULES** Limbrick's objections [dkt. 745] and **ADOPTS** the Report and Recommendation [dkt. 738]. Limbrick's Motions for Compassionate Release [dkt. 655, 659, 670] are therefore **DENIED**.

SIGNED this 25th day of March, 2024.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge